

FACT SHEET

UTAH HEALTH FACILITY ADMINISTRATORS FACTS

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Prepared For: Health and Human Services Interim Committee

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Act Name: Utah Health Facility Administrator Act.
Title 58, Chapter 15, Utah Code Annotated 1953

Summary of Act:

58-15-2. Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Administrator" means a person who is charged with the general administration of a health facility, regardless of whether that person has an ownership interest in the facility and whether his functions and duties are shared with one or more persons.
- (2) "Board" means the Health Facility Administrators Licensing Board created in Section 58-15-3.
- (3) "Health facility" means a skilled nursing facility, an intermediate care facility, or an intermediate care facility for the mentally retarded.
- (4) "Intermediate care facility" means an institution which provides, on a regular basis, health care and services to persons who do not require the degree of care and treatment a hospital or skilled nursing facility provide, but who require health care and services in addition to room and board.
- (5) "Intermediate care facility for the mentally retarded" means an institution which provides, on a regular basis, health-related care and service to mentally retarded individuals or persons with related conditions, who do not require the degree of care and treatment a hospital or skilled nursing facility provide, but who require health-related care and services above the need for room and board.
- (6) "Skilled nursing facility" means an institution primarily providing inpatients with skilled nursing care and related services on a continuing basis for patients who require mental, medical, or nursing care, or service for rehabilitation of injured, disabled, or sick persons.
- (7) "Unprofessional conduct" as defined in Section 58-1-501 and as may be further defined by rule includes:
 - (a) intentionally filing a false report or record, intentionally failing to file a report or record required by state or federal law, or willfully impeding or obstructing the filing of a required report. These reports or records only include those which are signed in the capacity of a licensed health facility administrator; and
 - (b) acting in a manner inconsistent with the health and safety of the patients of the health facility in which he is the administrator.

Requirements for Licensure

58-15-4. Licensure requirements.

- (1) An applicant for a license under this chapter shall submit a written application to the division, verified under oath, that the applicant is of good moral character as it relates to the functions and responsibilities of the practice of administration of a health facility

- (2) After July 1, 1985, all new applicants are required to have, in addition to

Subsection (1), the education or experience requirements as established by rule and as approved by the division.

- (3) The applicant shall pay a fee to the Department of Commerce determined by it pursuant to Section 63-38-3.2 for admission to the examination, for an initial license, and for a renewal license.
- (4) The applicant shall pass a written examination in subjects determined by the board. Upon passing the examination and payment of license fee, the board shall recommend issuance to the applicant of a license to practice as a health facility administrator.
- (5) A temporary license may be issued without examination to a person who meets the requirements established by statute and by rule for an administrator. The temporary license may be issued only to fill a position of administrator that unexpectedly becomes vacant and may be issued for only a single period not to exceed six months.
- (6) A license may be granted to an applicant who is a licensed nursing home administrator in another state if the standards for licensure in the other state are equivalent to those criteria set for in Subsections (1) and (2) and if the applicant is otherwise qualified.

D.O.P.L Licensing Information

Number of Licensed Health Facility Administrators: 292

Laws and Rules

No law changes have occurred since 1994. There has been little or no interaction with licensees or the public regarding practice act issues. The rules implementing this licensing act are found in Title R156, Chapter 15. The Rules were last amended in October of 1998.

Utah Health Facility Administrators Board :

The Board is composed of one administrator from a skilled nursing home, two administrators from an intermediate care facility, one from an intermediate care facility for the mentally retarded, and one public member. The board meets yearly or as needed.

Investigations

The D.O.P.L. Professional Conduct Investigation Unit investigates reports of “non-certified practice” and “standards of care” related cases. Cases may involve unprofessional or unlawful conduct based on gross negligence or criminal conduct. There is currently one active case. The Utah Health Facility Administrators Board has two probationers at this time.

Since 2000 the Investigations Professional Conduct Unit has received 60 complaints. The complaints were resolved as follows.

Criminal Filing Felony -1,
Administrative Sanctions (formal action)-6
Voluntary Compliance-9,
Letter of Concern/ Verbal Warning-8,
Unfounded or Lack of Evidence-17,
No Jurisdiction-5,
Referred to Other Agencies-5,
Intelligence Filed (future reference)-4,
Consolidated to Another Case-2

Contact Information:

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